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Date: 16th September 2021

Legislative Council
Parliament of NSW
Parliament House, Macquarie Street
SYDNEY NSW 2000

ATTENTION: The Standing Committee on Social Issues

Dear Standing Committee on Social Issues

RE: The Review of the Heritage Act 1977

Thank you again for the opportunity to contribute to this important review.

We are responding to provide information for a question from the Hon. Taylor Martin which we took on notice at the hearing on the 17th of August 2021 in order to confirm the sequence of events which gave rise to the subject of the question.

In regards to the Hon Taylor Martin's question we note it consists of two distinct portions:

Did you get any advice on:

- a) the potential impact of State listing on that project; and
- b) the benefits of adaptively reusing the building compared to if they were to use a different site for that process?

Before we answer the question posed we need to be absolutely clear that the Newcastle City Administration Centre (CAC) is not a listed heritage item under any statutory heritage list. Furthermore, until the Heritage Council make a recommendation to the Minister, and until the Minister makes a decision, the CAC building is not a heritage item even at a local level, and is not actually considered to be contributory to the Conservation area in which it is located. The reason a Statement of Heritage Impact was required to be submitted with the Development Application for the project is because the CAC building is within a Conservation Area and within proximity of listed Heritage Items.

EJE were not made aware of the nomination of the CAC building for the State Heritage Register which apparently occurred in 2019. As far as we understand, an Interim Heritage Order was not applied for. The first advice that EJE received in regards to the potential listing of the Newcastle CAC was in April 2021 through a notice circulated by Heritage NSW. At that point in time the handover of the completed hotel building was a matter of weeks away.

We note that the draft listing sheet by which the listing is being considered uses substantial information from the same Statement of Heritage Impact, written by David Campbell, which was submitted with the Development Application for Adaptive Reuse of the building and actually acknowledges the near completion of the project.

EJE did not get any advice on the potential impact of State Listing for the Newcastle City Administration Centre for the main reason that when we learned that the building was being considered for listing, the Adaptive Reuse project was almost complete. Furthermore, EJE have extensive experience in regards to heritage items and conservation areas and we did not believe that seeking advice was warranted.

EJE did not get any advice on the benefits of adaptively reusing the building compared to if our client were to use a different site for the process. The City of Newcastle sought expressions of interest for the purchase of their unlisted building. The CAC building had previously been considered for adapting into a hotel in 1994 for which Brian Suters had designed a scheme. EJE could see that it was a use which would be highly compatible with the surrounding, parks, restaurants, museums, galleries and theatres of the Civic precinct. When our clients approached us they already appreciated the CAC building for its design and had a clear brief to adapt the building into a five-star hotel. The City of Newcastle accepted the offer from the Crystalbrook Collection with the understanding that the building would be adaptively reused as a five-star hotel.

We trust that this will be sufficient to provide clarity and an answer to the Hon. Taylor Martin's question.

Yours faithfully
EJE ARCHITECTURE

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